

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
	)	Criminal No. 05-10138-DPW
v.)	
	)	VIOLATIONS:
1. LEONEL ESMENDY)	
GUERRA-PIMENTEL,	)	21 U.S.C. §§ 846 and 841(a)(1)
a/k/a José Alfredo	)	- Conspiracy to Distribute
Santiago,	)	Cocaine and Heroin
a/k/a José)	
Acosta-Melendez,	)	21 U.S.C. § 856(a)(1) -
a/k/a "Leo,"	)	Maintaining a Place for the
2. FERNANDO HERANDNEZ-GONZALEZ,	)	Purpose of Drug Distribution
a/k/a Nathaniel Arias,)	
a/k/a "Nata,"	)	21 U.S.C. §§ 841(a)(1) -
3. MARCIAL SOTO-GARCIA	)	Possession With Intent to
a/k/a Carlos J.	)	Distribute Cocaine
Gonzalez-Ortiz,)	
a/k/a Francisco Diaz,	)	21 U.S.C. § 843(b) - Unlawful
a/k/a Nehemias Perez,	)	Use of Communication Facility
a/k/a "Marcial,")	
4. ROBERTO TUENI,	)	18 U.S.C. § 1956(a)(1)(A)(i) -
a/k/a Angel Vasquez,	)	Money Laundering
a/k/a Milton J. Martinez,)	
a/k/a José Guerrero,	)	42 U.S.C. § 408(a)(7)(B) -
a/k/a "Robertico,"	)	Social Security Number Misuse
5. MARINO ALBERTO,)	
a/k/a Arturo Rosa,	)	18 U.S.C. § 1028(a)(7) -
a/k/a "Victor,"	)	Identity Theft
a/k/a "Peje")	
6. LUIS MANUEL	)	18 U.S.C. § 1028A(a)(1) -
GONZALEZ-CALDERON	)	Aggravated Identity Theft
a/k/a Rafael Jiminez,)	
a/k/a "Gordo,"	)	18 U.S.C. § 1326(a)(1) -
7. MANUEL FLORENTINO	)	Unlawful Entry After
a/k/a "Lilo,"	)	Deportation
8. WILLIAM MARTINEZ,)	
a/k/a "Primo"	)	18 U.S.C. § 2 - Aiding
a/k/a "Loro"	)	and Abetting
a/k/a "Lorito")	
9. LUIS FERNANDO CARVAJAL	)	21 U.S.C. § 853
a/k/a "El Colo"	)	(Criminal Forfeiture
10. EDISON JARAMILLO	)	Allegation)
a/k/a Roberto Feliciano)	
a/k/a Edison Alberto	)	18 U.S.C. Sec. 982(a)(1)

2

Restrepo	)	(Criminal Forfeiture
a/k/a "Jimmy"	)	Allegation)
a/k/a "Eddie")	
11. CARMEN LOPERA)	
a/k/a Christina Lopera)	

Defendants.

INDICTMENT

COUNT ONE: (21 United States Code Section 846 - Conspiracy
to Distribute Cocaine and Heroin)

The Grand Jury charges that:

From an unknown date but at least by in or about August
2004 and continuing until on or about April 15, 2005, at Boston,
Quincy, Braintree, Lawrence, and elsewhere in the District of
Massachusetts, and elsewhere,

1. LEONEL ESMENDY
GUERRA-PIMENTEL,
a/k/a José Alfredo
Santiago,
a/k/a José
Acosta-Melendez,
a/k/a "Leo,"
2. FERNANDO HERANDNEZ-GONZALEZ,
a/k/a Nathaniel Arias,
a/k/a "Nata,"
3. MARCIAL SOTO-GARCIA
a/k/a Carlos J.
Gonzalez-Ortiz,
a/k/a Francisco Diaz,
a/k/a Nehemias Perez,
a/k/a "Marcial,"
4. ROBERTO TUENI,
a/k/a Angel Vasquez,
a/k/a Milton J. Martinez,
a/k/a José Guerrero,
a/k/a "Robertico,"
5. MARINO ALBERTO,
a/k/a Arturo Rosa,

- a/k/a "Victor,"
- a/k/a "Peje"
- 6. LUIS MANUEL
GONZALEZ-CALDERON
a/k/a Rafael Jiminez,
a/k/a "Gordo,"
- 7. MANUEL FLORENTINO
a/k/a "Lilo,"
- 8. WILLIAM MARTINEZ,
a/k/a "Primo"
a/k/a "Loro"
a/k/a "Lorito"
- 9. LUIS FERNANDO CARVAJAL
a/k/a "El Colo"
- 10. EDISON JARAMILLO
a/k/a Roberto Feliciano
a/k/a Edison Alberto
Restrepo
a/k/a "Jimmy"
a/k/a "Eddie"

defendants herein, did knowingly and intentionally combine, conspire, confederate, and agree with each other and with other persons, known and unknown to the Grand Jury, to distribute the controlled substances, to wit: cocaine, a Schedule II controlled substance, and heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Section 841(a)(1).

It is further alleged that the conspiracy involved at least five (5) kilograms of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance and at least one hundred (100) grams of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance. Accordingly, Title 21, United States Code, Sections 841(b)(1)(A)(ii) and 841(b)(1)(B)(i) are applicable to this

4

count.

All in violation of Title 21, United States Code, Section
846.

**COUNT TWO: (Title 21, United States Code, Section 856(a)(1) -
Maintaining a Place for Drug Purposes; Title 18,
United States Code, Section 2 - Aiding and
Abetting)**

From in or about November 2004 and continuing until on or
about April 15, 2005, at Boston and elsewhere in the District of
Massachusetts,

**1. LEONEL ESMENDY
GUERRA-PIMENTEL,
a/k/a José Alfredo
Santiago,
a/k/a José
Acosta-Melendez,
a/k/a "Leo,"**

defendant herein, did knowingly and intentionally lease, rent,
use, and maintain a place, to wit; 14 Heron Street, Apartment
Number 207, West Roxbury, Massachusetts for the purpose of
manufacturing, and distributing a controlled substance.

All in violation of Title 21, United States Code, Section
856(a)(1) and Title 18, United States Code, Section 2.

COUNT THREE: (Title 21, United States Code, Section 856(a)(1) - Maintaining a Place for Drug Purposes; Title 18, United States Code, Section 2 - Aiding and Abetting)

From in or about February 2005 and continuing until on or about April 15, 2005, at Braintree and elsewhere in the District of Massachusetts,

3. MARCIAL SOTO-GARCIA
a/k/a Carlos J.
Gonzalez-Ortiz,
a/k/a Francisco Diaz,
a/k/a Nehemias Perez,
a/k/a "Marcial,"

defendant herein, did knowingly and intentionally lease, rent, use, and maintain a place, to wit; 600 Matthew Court, Apartment Number 600-103, Braintree, Massachusetts, for the purpose of manufacturing, and distributing a controlled substance.

All in violation of Title 21, United States Code, Section 856(a)(1) and Title 18, United States Code, Section 2.

COUNT FOUR: (Title 21, United States Code, Section 841(a)(1) - Possession With the Intent to Distribute Five Kilograms or More of Cocaine; Title 18, United States Code, Section 2 - Aiding and Abetting)

On or about March 18, 2005, at Boston and elsewhere in the District of Massachusetts, and elsewhere,

**6. LUIS MANUEL
GONZALEZ-CALDERON
a/k/a Rafael Jiminez,
a/k/a "Gordo,"**

defendant herein, did knowingly and intentionally possess with the intent to distribute cocaine, a Schedule II controlled substance.

It is further alleged that this offense involved at least five kilograms of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance. Accordingly, Title 21, United States Code, Section 841(b)(1)(A)(ii) is applicable to this count.

All in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT FIVE: (Title 21, United States Code, Section 841(a)(1) - Possession With Intent to Distribute One Hundred Grams or More of Heroin - Title 18, United States Code, Section 2 - Aiding and Abetting)

On or about March 19, 2005, at Boston, Malden and elsewhere in the District of Massachusetts and elsewhere,

- 9. LUIS FERNANDO CARVAJAL**
a/k/a "El Colo"
- 10. EDISON JARAMILLO**
a/k/a Roberto Feliciano
a/k/a Edison Alberto Restrepo
a/k/a "Jimmy"
a/k/a "Eddie"

defendants herein, did knowingly and intentionally possess with intent to distribute heroin, a Schedule I controlled substance.

It is further alleged that this offense involved at least one hundred grams of a mixture and substance containing a detectable amount of heroin, a Schedule I controlled substance. Accordingly, Title 21, United States Code, Section 841(b)(1)(B)(i) is applicable to this count.

All in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT SIX: (Title 21, United States Code, Section 841(a)(1) - Possession with the Intent to Distribute Five Hundred Grams or More of Cocaine; Title 18, United States Code, Section 2 - Aiding and Abetting)

On or about March 19, 2005, at Boston and elsewhere in the District of Massachusetts, and elsewhere,

**10. EDISON JARAMILLO
a/k/a Roberto Feliciano
a/k/a Edison Alberto
Restrepo
a/k/a "Jimmy"
a/k/a "Eddie"**

defendant herein, did knowingly and intentionally possess with intent to distribute cocaine, a Schedule II controlled substance.

It is further alleged that this offense involved at least five hundred grams of a mixture and substance containing a detectable amount of cocaine, a Schedule II controlled substance. Accordingly, Title 21, United States Code, Section 841(b)(1)(B)(ii) is applicable to this count.

All in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT SEVEN: (Title 21, United States Code, Section 843(b) - Unlawful Use of a Communication Facility; Title 18, United States Code, Section 2 - Aiding and Abetting)

On or about March 27, 2005, at approximately 1:27 p.m., in the District of Massachusetts and elsewhere,

11. CARMEN LOPERA

a/k/a Christina Lopera

defendant herein, knowing and intentionally used a communication facility, to wit: a cellular telephone assigned telephone number 781-420-2174, in committing, causing and facilitating the offense set forth in Count One of this indictment, specifically Conspiracy to Distribute Cocaine and Heroin.

All in violation of Title 21, United States Code, Section 843(b) and Title 18, United States Code, Section 2.

COUNT EIGHT: (Title 21, United States Code, Section 841(a)(1) - Possession with the Intent to Distribute Cocaine; Title 18, United States Code, Section 2 - Aiding and Abetting)

On or about April 15, 2005, at Quincy and elsewhere in the District of Massachusetts, and elsewhere,

**5. MARINO ALBERTO,
a/k/a Arturo Rosa,
a/k/a "Victor,"
a/k/a "Peje"**

defendant herein, did knowingly and intentionally possess with the intent to distribute cocaine, a Schedule II controlled substance.

All in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNTS NINE TO THIRTEEN: (Title 18, United States Code, Section 1956(a)(1)(A)(i) - Money Laundering; and Title 18, United States Code, Section 2 - Aiding and Abetting)

From in or about November 2004 and continuing to on or about April 7, 2005, at Boston and elsewhere in the District of Massachusetts and elsewhere,

**1. LEONEL ESMENDY
GUERRA-PIMENTEL,
a/k/a José Alfredo
Santiago,
a/k/a José
Acosta-Melendez,
a/k/a "Leo,"**

defendant herein, did knowingly conduct and cause to be conducted the following financial transactions affecting interstate commerce, specifically:

Count	Amount	Description of Transaction
9	\$2,875	Five Money Orders dated November 5, 2004
10	\$1,425	Two Money Orders dated December 6, 2004
11	\$1,425	One Cashier's Check dated February 3, 2005
12	\$1,425	One Cashiers's Check dated March 4, 2005
13	\$1,425	One Cashier's Check dated April 7, 2005

which involved the proceeds of specified unlawful activity, that is, conspiracy to distribute cocaine and heroin, in violation of Title 21, United States Code, Section 846 as charged in Count One

of the indictment herein, with the intent to promote the carrying on of said specified unlawful activity and that while conducting and attempting to conduct such financial transactions, the defendant knew that the property involved in the financial transactions, represented the proceeds of some form of unlawful activity.

All in violation of Title 18, United States Code, Section 1956(a)(1)(A)(i) and Title 18, United States Code, Section 2.

COUNTS FOURTEEN TO SIXTEEN: (Title 18, United States Code, Section 1956(a)(1)(A)(i) - Money Laundering; and Title 18, United States Code, Section 2 - Aiding and Abetting)

From in or about February 2005 and continuing to on or about April 4, 2005, at Braintree and elsewhere in the District of Massachusetts and elsewhere,

3. MARCIAL SOTO-GARCIA

a/k/a Carlos J.
Gonzalez-Ortiz,
a/k/a Francisco Diaz,
a/k/a Nehemias Perez,
a/k/a "Marcial,"

defendant herein, did knowingly conduct and attempt to conduct the following financial transactions affecting interstate and foreign commerce, specifically:

Count	Amount	Transaction
14	\$2,170	Two Money Orders dated February 7, 2005
15	\$1,430	Two Money Orders dated March 3, 2005
16	\$1,200	Two Money Orders dated April 4, 2005

which involved the proceeds of specified unlawful activity, that is, conspiracy to distribute cocaine and heroin, in violation of Title 21, United States Code, Section 846 as alleged in Count One of the indictment herein, with the intent to promote the carrying on of said specified unlawful activity and that while conducting

and attempting to conduct such financial transactions, the defendant knew that the property involved in the financial transactions, represented the proceeds of some form of unlawful activity.

All in violation of Title 18, United States Code, Section 1956(a)(1)(A)(i) and Title 18, United States Code, Section 2.

COUNT SEVENTEEN: (Title 42, United States Code, Section 408(a)(7)(B) - Social Security Number Misuse; Title 18, United States Code, Section 2 - Aiding and Abetting)

On or about October 29, 2004, at Boston and elsewhere in the District of Massachusetts,

**1. LEONEL ESMENDY
GUERRA-PIMENTEL,
a/k/a José Alfredo
Santiago,
a/k/a José
Acosta-Melendez,
a/k/a "Leo,"**

defendant herein, with intent to deceive, falsely represented a number to be the social security account number assigned by the Commissioner of Social Security to him, when in fact such number is not the social security account number assigned by the Commissioner of Social Security to him.

All in violation of Title 42, United States Code, Section 408(a)(7)(B) and Title 18, United States Code, Section 2.

COUNT EIGHTEEN: (Title 18, United States Code, Section 1028(a)(7) - Identity Theft; Title 18, United States Code, Section 2 - Aiding and Abetting)

On or about October 29, 2004, at Boston and elsewhere in the District of Massachusetts,

1. **LEONEL ESMENDY
GUERRA-PIMENTEL,
a/k/a José Alfredo
Santiago,
a/k/a José
Acosta-Melendez,
a/k/a "Leo,"**

defendant herein, did knowingly use, without lawful authority, a means of identification of another person, to wit: a Commonwealth of Massachusetts Driver's License in the name Jose Acosta-Melendez, with the intent to commit, and to aid and abet, a violation of Federal law, specifically, conspiracy to distribute cocaine and heroin as charged in Count One of the Indictment herein.

All in violation of Title 18, United States Code, Section 1028(a)(7) and Title 18, United States Code, Section 2.

COUNT NINETEEN: (Title 18, United States Code, Section 1028A(a)(1) - Aggravated Identity Theft; Title 18, United States Code, Section 2 - Aiding and Abetting)

On or about October 29, 2004, at Boston and elsewhere in the District of Massachusetts,

**1. LEONEL ESMENDY
GUERRA-PIMENTEL,
a/k/a José Alfredo
Santiago,
a/k/a José
Acosta-Melendez,
a/k/a "Leo,"**

defendant herein, during and in relation to an enumerated felony, specifically misuse of a Social Security Number as charged in Count Sixteen of the Indictment herein, did knowingly possess and use, without lawful authority, a means of identification of another person, to wit: a Commonwealth of Massachusetts Driver's License in the name Jose Acosta-Melendez.

All in violation of Title 18, United States Code, Section 1028A(a)(1) and Title 18, United States Code, Section 2.

COUNT TWENTY: (Title 42, United States Code, Section 408(a)(7)(B) - Social Security Number Misuse; Title 18, United States Code, Section 2 - Aiding and Abetting)

On or about February 7, 2005 at Braintree and elsewhere in the District of Massachusetts,

3. MARCIAL SOTO-GARCIA

**a/k/a Carlos J.
Gonzalez-Ortiz,
a/k/a Francisco Diaz,
a/k/a Nehemias Perez,
a/k/a "Marcial,"**

defendant herein, with intent to deceive, falsely represented a number to be the social security account number assigned by the Commissioner of Social Security to him, when in fact such number is not the social security account number assigned by the Commissioner of Social Security to him.

All in violation of Title 42, United States Code, Section 408(a)(7)(B) and Title 18, United States Code, Section 2.

COUNT TWENTY-ONE: (Title 18, United States Code, Section 1028(a)(7) - Identity Theft; Title 18, United States Code, Section 2 - Aiding and Abetting)

On or about February 7, 2005, at Braintree and elsewhere in the District of Massachusetts,

3. MARCIAL SOTO-GARCIA

a/k/a Carlos J.
Gonzalez-Ortiz,
a/k/a Francisco Diaz,
a/k/a Nehemias Perez,
a/k/a "Marcial,"

defendant herein, did knowingly use, without lawful authority, a means of identification of another person, to wit: a Commonwealth of Massachusetts Driver's License in the name Carlos J. Gonzalez, with the intent to commit and to aid and abet, a violation of Federal law, specifically, conspiracy to distribute cocaine and heroin as charged in Count One of the Indictment herein.

All in violation of Title 18, United States Code, Section 1028(a)(7) and Title 18, United States Code, Section 2.

COUNT TWENTY-TWO: (Title 18, United States Code, Section 1028A(a)(1) - Aggravated Identity Theft; Title 18, United States Code, Section 2 - Aiding and Abetting)

On or about February 7, 2005, at Boston and elsewhere in the District of Massachusetts,

3. MARCIAL SOTO-GARCIA

**a/k/a Carlos J.
Gonzalez-Ortiz,
a/k/a Francisco Diaz,
a/k/a Nehemias Perez,
a/k/a "Marcial,"**

defendant herein, during and in relation an enumerated felony, specifically misuse of a Social Security Number as charged in Count Nineteen of the Indictment herein, did knowingly possesses and use, without lawful authority, a means of identification of another person, to wit: a Commonwealth of Massachusetts Driver's License in the name Carlos J. Gonzalez.

All in violation of Title 18, United States Code, Section 1028A(a)(1) and Title 18, United States Code, Section 2.

COUNT TWENTY-THREE: (Title 8, United States Code, Section
1326(a) - Unlawful Entry After
Deportation)

On or about April 15, 2005, at or near Boston in the
District of Massachusetts and elsewhere,

3. MARCIAL SOTO-GARCIA

a/k/a Carlos J.
Gonzalez-Ortiz,
a/k/a Francisco Diaz,
a/k/a Nehemias Perez,
a/k/a "Marcial,"

defendant herein, being an alien and having been excluded,
deported and removed from the United States on or about February
24, 2002, at or near the Eastern District of New York was found
in the United States without having received the express consent
of the United States Attorney General prior to March 1, 2003, or
the express consent of the Secretary of the Department of
Homeland Security since that date, to reapply for admission to
the United States.

All in violation of Title 8, United States Code, Section
1326(a)(1).

**COUNT TWENTY-FOUR: (Title 8, United States Code, Section 1326(a)
- Unlawful Entry After Deportation)**

On or about April 15, 2005, at or near Boston in the
District of Massachusetts and elsewhere,

**5. MARINO ALBERTO,
a/k/a Arturo Rosa,
a/k/a "Victor,"
a/k/a "Peje"**

defendant herein, being an alien and having been excluded,
deported and removed from the United States on or about February
24, 2002, at or near Newark, New Jersey, was found in the United
States without having received the express consent of the United
States Attorney General prior to March 1, 2003, or the express
consent of the Secretary of the Department of Homeland Security
since that date, to reapply for admission to the United States.

All in violation of Title 8, United States Code, Section
1326(a)(1).

DRUG FORFEITURE ALLEGATIONS

(21 U.S.C. § 853)

The Grand Jury further charges that:

1. As a result of the offenses alleged in Counts One through Seven of this Indictment, the defendants,

1. **LEONEL ESMENDY**
GUERRA-PIMENTEL,
a/k/a José Alfredo
Santiago,
a/k/a José
Acosta-Melendez,
a/k/a "Leo,"
2. **FERNANDO HERANDNEZ-GONZALEZ,**
a/k/a Nathaniel Arias,
a/k/a "Nata,"
3. **MARCIAL SOTO-GARCIA**
a/k/a Carlos J.
Gonzalez-Ortiz,
a/k/a Francisco Diaz,
a/k/a Nehemias Perez,
a/k/a "Marcial,"
4. **ROBERTO TUENI,**
a/k/a Angel Vasquez,
a/k/a Milton J. Martinez,
a/k/a José Guerrero,
a/k/a "Robertico,"
5. **MARINO ALBERTO,**
a/k/a Arturo Rosa,
a/k/a "Victor,"
a/k/a "Peje"

25

6. LUIS MANUEL

GONZALEZ-CALDERON

a/k/a Rafael Jiminez,

a/k/a "Gordo,"

7. MANUEL FLORENTINO

a/k/a "Lilo,"

8. WILLIAM MARTINEZ,

a/k/a "Primo"

a/k/a "Loro"

a/k/a "Lorito"

9. LUIS FERNANDO CARVAJAL

a/k/a "El Colo"

10. EDISON JARAMILLO

a/k/a Roberto Feliciano

a/k/a Edison Alberto

Restrepo

a/k/a "Jimmy"

a/k/a "Eddie"

11. CARMEN LOPERA

a/k/a Christina Lopera

shall forfeit to the United States any and all property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as a result of such offenses; and/or any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, such violations. Such property includes, without limitation:

- (a) \$22,250.00 in United States currency seized from 4325 Washington Street, Roslindale, Massachusetts, on March 18, 2005;
- (b) One 1998 Honda Accord, Vehicle Identification Number 1HGCG1652WA061629, Massachusetts Registration Number 93TT60, seized from 4325 Washington Street, Roslindale, Massachusetts, on March 18, 2005;
- (c) \$3,730.00 in United States currency seized from 175 G Centre Street, Apartment 706, Quincy, Massachusetts, on April 15, 2005;
- (d) \$2,625.00 in United States currency seized from 50 Pinehurst Street, Third Floor, Roslindale, Massachusetts, on April 15, 2005;

- (e) One 1998 Ford Explorer Eddie Bauer, Vehicle Identification Number 1FMZU34E8WZB87877, Massachusetts Registration Number 31VX23, seized from the corner of Rosecliff Avenue and Boston Road, Dorchester, Massachusetts, on April 14, 2005;
- (f) One 1994 Toyota Camry, Vehicle Identification Number 4T1GK13EXRU017766, Massachusetts Registration Number 38TH33, seized from Forest Hills Street, Jamaica Plain, Massachusetts, on April 14, 2005;
- (g) One 2001 Honda Accord, Vehicle Identification Number 1HGCG16581A075446, Massachusetts Registration Number 59TT49, seized from the 175K Centre Street, Quincy, Massachusetts, on April 15, 2005;
- (h) \$3,797.00 in United States currency seized from Forest Hills Street, Jamaica Plain, Massachusetts, on April 15, 2005;
- (i) \$19,900.00 in United States currency seized from the corner of Rosecliff Avenue and Boston Road, Dorchester, Massachusetts, on April 14, 2005; and
- (j) \$50,000.00 in United States currency posted as bail by Sandra J. Sanchez on April 15, 2005 at Quincy District Court in Quincy, Massachusetts, on behalf of EDISON JARAMILLO a/k/a Roberto Feliciano a/k/a Edison Alberto Restrepo a/k/a "Jimmy" a/k/a "Eddie".

2. If any of the property described in paragraph 1 above, as a result of any act or omission of the defendants,

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited

with, a third party;

(c) has been placed beyond the jurisdiction of the Court;

(d) has been substantially diminished in value; or

(e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendants up to the value of the property described in paragraph 1.

All in violation of 21 U.S.C. § 853.

MONEY LAUNDERING FORFEITURE ALLEGATIONS

(18 U.S.C. § 982(a)(1))

The Grand Jury further charges that:

1. As a result of the offenses alleged in Counts Eight through Fifteen of this Indictment, each of the defendants,

1. **LEONEL ESMENDY**
GUERRA-PIMENTEL,
a/k/a José Alfredo
Santiago,
a/k/a José
Acosta-Melendez,
a/k/a "Leo,"
3. **MARCIAL SOTO-GARCIA**
a/k/a Carlos J.
Gonzalez-Ortiz,
a/k/a Francisco Diaz,
a/k/a Nehemias Perez,
a/k/a "Marcial,"

shall forfeit to the United States the following property:

- (a) any property, real or personal, involved in each offense in violation of 18 U.S.C. § 1956, for which that defendant is convicted, and all property traceable to such property; and
- (b) a sum of money equal to the total amount of money involved in each offense in violation of 18 U.S.C. § 1956, for which that defendant is convicted.

2. If any of the property described in paragraph 1 above, as a result of any act or omission of the defendants,

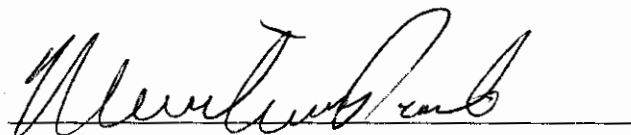
- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

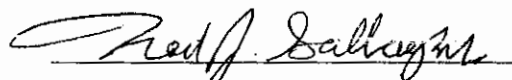
it is the intention of the United States, pursuant to 18 U.S.C. § 982(b)(1)(A), incorporating 21 U.S.C. § 853(p), to seek forfeiture of any other property of the defendants up to the value of the property described in paragraph 1.

All in violation of 18 U.S.C. § 982.

31


A TRUE BILL


FOREPERSON OF THE GRAND JURY


NEIL J. GALLAGHER
ASSISTANT U.S. ATTORNEY

DISTRICT OF MASSACHUSETTS; June 2nd, 2005

Returned into the District Court by the Grand Jurors and
filed.


DEPUTY CLERK
6/2/05
WA 1:10

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: _____ Category No. I Investigating Agency DEACity Boston; Braintree Related Case Information:County Suffolk; Norfolk Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New _____
Magistrate Judge Case Number 05-M-211-JLA
Search Warrant Case 05-M-215-JLA
R 20/R 40 from District of _____**Defendant Information:**Defendant Name Leonel Esmendy Guerra-Pimentel Juvenile ☐ Yes ☒ NoAlias Name Jose Santiago, a/k/a Jose M. Costa-MelendezAddress 162 Garfield Avenue, Hyde Park, MABirth date (Year 1976 SSN (last 4 _____ Se M Race: Hispanic Nationalit Dom. Rep.Defense Counsel if John M. Verdecchia Address: 1206 Westminster Street
Providence, RI

Bar Number: _____

U.S. Attorney Information:AUSA Neil J. Gallagher Bar Number if _____Interpreter: ☒ Yes ☐ No List language and/or dialect: SPANISHMatter to be SEALED: ☐ Yes ☒ No☐ Warrant Requested ☐ Regular Process ☒ In Custody**Location Status:**Arrest Date: April 15, 2005☒ Already in Federal Custody as of 4/15/05 in USMS☐ Already in State _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Ordered _____ on _____Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony 10 counts

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date 6/2/05Signature of 

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Leonel Esmendy Guerra-Pimentel

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. Sec. 846</u>	<u>conspiracy to distribute cocaine and heroin</u>	<u>Count One</u>
Set 2	<u>21 U.S.C. Sec. 856</u>	<u>maintaining a place for drug distribution</u>	<u>Count Two</u>
Set 3	<u>18 U.S.C. Sec. 1956</u>	<u>money laundering</u>	<u>Counts 9-13</u>
Set 4	<u>42 U.S.C. 408(a)(7)(B)</u>	<u>social security number misuse</u>	<u>Count 17</u>
Set 5	<u>18 U.S.C. Sec. 1028</u>	<u>identity theft</u>	<u>Count 18</u>
Set 6	<u>18 U.S.C. Sec. 1028A</u>	<u>aggravated identity theft</u>	<u>Count 19</u>
Set 7	<u>18 U.S.C. Sec. 2</u>	<u>aiding and abetting</u>	<u>Counts 2, 9-13, 17-19</u>
Set 8	<u>21 U.S.C. 853</u>	<u>drug forfeiture allegation</u>	_____
Set 9	<u>18 U.S.C. 882</u>	<u>money laundering forfeiture allegation</u>	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION:

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: _____ Category No. I Investigating Agency DEA

City Boston; Braintree Related Case Information:

County Suffolk; Norfolk Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New _____
Magistrate Judge Case Number 05-M-211-JLA
Search Warrant Case 05-M-214-JLA
R 20/R 40 from District of _____

Defendant Information:

Defendant Name FERNANDO HERNANDEZ-GONZALEZ Juvenile ☐ Yes ☒ No

Alias Name "Nata"

Address 734 Western Avenue, Apt 1, Lynn, MA

Birth date (Year 1979 SSN (last 4 0681 Se M Race: Hispanic Nationalit Dom. Rep.

Defense Counsel if Unknown Address: _____

Bar Number: _____

U.S. Attorney Information:

AUSA Neil J. Gallagher Bar Number if _____

Interpreter: ☒ Yes ☐ No List language and/or dialect: SPANISH

Matter to be SEALED: ☐ Yes ☒ No

☒ Warrant Requested ☐ Regular Process ☐ In Custody

Location Status:

Arrest Date: _____

☐ Already in Federal Custody _____ in _____

☐ Already in State _____ ☐ Serving Sentence ☐ Awaiting Trial

☐ On Pretrial Ordered _____ on _____

Charging Document: ☐ Complaint ☐ Information ☒ Indictment

Total # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony One

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date 6/2/05

Signature of [Signature]

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant FERNANDO HERNANDEZ-GONZALES**U.S.C. Citations**

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. Sec. 846</u>	<u>conspiracy to distribute cocaine and heroin</u>	<u>Count One</u>
Set 2	<u>21 U.S.C. Sec. 853</u>	<u>drug forfeiture allegation</u>	
Set 3			
Set 4			
Set 5			
Set 6			
Set 7			
Set 8			
Set 9			
Set 10			
Set 11			
Set 12			
Set 13			
Set 14			
Set 15			

ADDITIONAL INFORMATION:

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: _____ Category No. I Investigating Agency DEACity Boston Related Case Information:County Suffolk Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New _____
Magistrate Judge Case Number 05-M-211-JLA
Search Warrant Case 05-M-212-JLA
R 20/R 40 from District of _____**Defendant Information:**Defendant Name MARCIAL SOTO-GARCIA Juvenile ☐ Yes ☒ NoAlias Name Carlos Gonzalez-Ortiz; Francisco Diaz; Nehemias Perez "Marcial"Address 136 Seaver St., Apt 45, Boston, MABirth date (Year 1978 SSN (last 4 7214 Se M Race: Hispanic Nationalit Dom. Rep.Defense Counsel if Matthew B. Smith Address: 1206 West Minster Street
Providence, RI 02909

Bar Number: _____

U.S. Attorney Information:AUSA Neil J. Gallagher Bar Number if _____Interpreter: ☒ Yes ☐ No List language and/or dialect: SPANISHMatter to be SEALED: ☐ Yes ☒ No☐ Warrant Requested ☐ Regular Process ☒ In Custody**Location Status:**Arrest Date: April 15, 2005☒ Already in Federal Custody as of 4/15/05 in USMS☐ Already in State _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Ordered _____ on _____Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony Nine

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date 6/2/05Signature of 

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant MARICAL SOTO-GARCIA**U.S.C. Citations**

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. Sec. 846</u>	<u>conspiracy to distribute cocaine and heroin</u>	<u>Count One</u>
Set 2	<u>21 U.S.C. Sec. 856</u>	<u>maintaining a place for drug distribution</u>	<u>Count Three</u>
Set 3	<u>18 U.S.C. Sec. 1956</u>	<u>money laundering</u>	<u>Counts 14-16</u>
Set 4	<u>42 U.S.C. 408(a)(7)(B)</u>	<u>social security number misuse</u>	<u>Count 20</u>
Set 5	<u>18 U.S.C. Sec. 1028</u>	<u>identity theft</u>	<u>Count 21</u>
Set 6	<u>18 U.S.C. Sec. 1028A</u>	<u>aggravated identity theft</u>	<u>Count 22</u>
Set 7	<u>8 U.S.C. Sec. 1326(a)</u>	<u>unlawful entry after deportation</u>	<u>Count 23</u>
Set 8	<u>18 U.S.C. Sec. 2</u>	<u>aiding and abetting</u>	<u>Counts 3, 14-16, 2-22</u>
Set 9	<u>21 U.S.C. Sec. 853</u>	<u>drug forfeiture allegation</u>	_____
Set 10	<u>18 U.S.C. Sec. 982</u>	<u>money laundering forfeiture allegation</u>	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION:

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: _____ Category No. I Investigating Agency DEA

City Boston; Braintree Related Case Information:

County Suffolk; Norfolk Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New _____
Magistrate Judge Case Number 05-M-211-JLA
Search Warrant Case _____
R 20/R 40 from District of _____

Defendant Information:

Defendant Name ROBERTO TUENI Juvenile ☐ Yes ☒ No

Alias Name Angel Vasquez, Milton J. Martinez, Jose Guerro

Address 136 Seaver St., Apt 136, Dorchester, MA

Birth date (Year 1980 SSN (last 4 7845 Se M Race: Hispanic Nationalit Dom. Rep

Defense Counsel if Carlos Dominguez Address: 232 Commercial Street
Boston, MA

Bar Number: _____

U.S. Attorney Information:

AUSA Neil J. Gallagher Bar Number if _____

Interpreter: ☒ Yes ☐ No List language and/or dialect: SPANISH

Matter to be SEALED: ☐ Yes ☒ No

☐ Warrant Requested ☐ Regular Process ☒ In Custody

Location Status:

Arrest Date: April 15, 2005

☒ Already in Federal Custody as of 4/15/04 in USMS

☐ Already in State _____ ☐ Serving Sentence ☐ Awaiting Trial

☐ On Pretrial Ordered _____ on _____

Charging Document: ☐ Complaint ☐ Information ☒ Indictment

Total # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony One

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date 6/2/05

Signature of Reed

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant ROBERTO TUENI**U.S.C. Citations**

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. Sec. 846</u>	<u>conspiracy to distribute cocaine and heroin</u>	<u>Count One</u>
Set 2	<u>21 U.S.C. Sec. 853</u>	<u>drug forfeiture allegation</u>	
Set 3			
Set 4			
Set 5			
Set 6			
Set 7			
Set 8			
Set 9			
Set 10			
Set 11			
Set 12			
Set 13			
Set 14			
Set 15			

ADDITIONAL INFORMATION:

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: _____ Category No. I Investigating Agency DEACity Boston Related Case Information:County Suffolk Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New _____
Magistrate Judge Case Number 05-M-211-JLA
Search Warrant Case 05-M-213-JLA
R 20/R 40 from District of _____**Defendant Information:**Defendant Name MARINO ALBERTO Juvenile ☐ Yes ☒ NoAlias Name Victor RosaAddress 175 Centre St., Apt 706, Quincy, MABirth date (Year 1953 SSN (last 4 _____ Se M Race: Hispanic Nationalit Dom. Rep.Defense Counsel if Michael J. Liston Address: 2 Park Plaza, Suite 610
Boston, MA

Bar Number: _____

U.S. Attorney Information:AUSA Neil J. Gallagher Bar Number if _____Interpreter: ☒ Yes ☐ No List language and/or dialect: SPANISHMatter to be SEALED: ☐ Yes ☒ No☐ Warrant Requested ☐ Regular Process ☒ In Custody**Location Status:**Arrest Date: April 15, 2005☒ Already in Federal Custody as of 4/15/05 in USMS☐ Already in State _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Ordered _____ on _____Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony Three

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date 6/2/05Signature of 

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant MARINO ALBERTO

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. Sec. 846</u>	<u>conspiracy</u>	<u>Count One</u>
Set 2	<u>21 U.S.C. Sec. 841(a)(1)</u>	<u>possession with intent to distribute cocaine</u>	<u>Count Eight</u>
Set 3	<u>8 U.S.C. Sec. 1326(a)</u>	<u>unlawful entry after deportation</u>	<u>Count 24</u>
Set 4	<u>18 U.S.C. Sec. 2</u>	<u>aiding and abetting</u>	<u>Count Eight</u>
Set 5	<u>21 U.S.C. Sec. 853</u>	<u>drug forfeiture allegation</u>	
Set 6	_____	_____	_____
Set 7	_____	_____	_____
Set 8	_____	_____	_____
Set 9	_____	_____	_____
Set 10	_____	_____	_____
Set 11	_____	_____	_____
Set 12	_____	_____	_____
Set 13	_____	_____	_____
Set 14	_____	_____	_____
Set 15	_____	_____	_____

ADDITIONAL INFORMATION:

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: _____ Category No. I Investigating Agency DEA

City Boston Related Case Information:

County Suffolk Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New _____
Magistrate Judge Case Number 05-M-211-JLA
Search Warrant Case _____
R 20/R 40 from District of _____

Defendant Information:

Defendant Name Luis Manuel Gonzales-Calderon Juvenile ☐ Yes ☒ No

Alias Name Rafael Jimenez, a/k/a El Gordo

Address 4325 Washington St., 2nd Floor, Roslindale, MA

Birth date (Year 1971 SSN (last 4 _____ Se M Race: Hispanic Nationalit Dom. Rep.

Defense Counsel if Ron Segal Address: 23 Central Ave., Suite 605
Lynn, MA

Bar Number: _____

U.S. Attorney Information:

AUSA Neil J. Gallagher Bar Number if _____

Interpreter: ☒ Yes ☐ No List language and/or dialect: SPANISH

Matter to be SEALED: ☐ Yes ☒ No

☐ Warrant Requested ☐ Regular Process ☒ In Custody

Location Status:

Arrest Date: March 18, 2005

☒ Already in Federal Custody as 4/25/05 in USMS

☐ Already in State _____ ☐ Serving Sentence ☐ Awaiting Trial

☐ On Pretrial Ordered _____ on _____

Charging Document: ☐ Complaint ☐ Information ☒ Indictment

Total # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony Two

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date 6/2/05

Signature of 

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Luis Manuel Gonzales-Calderon

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. Sec. 846</u>	<u>conspiracy</u>	<u>Count One</u>
Set 2	<u>21 U.S.C. Sec. 841(a)(1)</u>	<u>possession with intent to distribute cocaine</u>	<u>Count Four</u>
Set 3	<u>18 U.S.C. Sec. 2</u>	<u>aiding and abetting</u>	<u>Count 4</u>
Set 4	<u>21 U.S.C. Sec. 853</u>	<u>drug forfeiture allegation</u>	
Set 5			
Set 6			
Set 7			
Set 8			
Set 9			
Set 10			
Set 11			
Set 12			
Set 13			
Set 14			
Set 15			

ADDITIONAL INFORMATION:

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: _____ Category No. I Investigating Agency DEA

City Boston; Braintree Related Case Information:

County Suffolk; Norfolk Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New _____
Magistrate Judge Case Number 05-M-211-JLA
Search Warrant Case _____
R 20/R 40 from District of _____

Defendant Information:

Defendant Name Manuel Florentino Juvenile ☐ Yes ☒ No

Alias Name Lilo

Address 137 Franklin St., Apt. 3, Malden, MA

Birth date (Year 1963 SSN (last 4 _____ Se M Race: Hispanic Nationalit Dom. Rep.

Defense Counsel if Unknown Address: _____

Bar Number: _____

U.S. Attorney Information:

AUSA Neil J. Gallagher Bar Number if _____

Interpreter: ☒ Yes ☐ No List language and/or dialect: SPANISH

Matter to be SEALED: ☐ Yes ☒ No

☒ Warrant Requested ☐ Regular Process ☐ In Custody

Location Status:

Arrest Date: _____

☐ Already in Federal Custody _____ in _____

☐ Already in State _____ ☐ Serving Sentence ☐ Awaiting Trial

☐ On Pretrial Ordered _____ on _____

Charging Document: ☐ Complaint ☐ Information ☒ Indictment

Total # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony One

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date 6/2/05 Signature of [Signature]

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Manuel Florentino

U.S.C. Citations

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. Sec. 846</u>	<u>conspiracy</u>	<u>Count One</u>
Set 2	<u>21 U.S.C. Sec. 853</u>	<u>drug forfeiture allegation</u>	
Set 3			
Set 4			
Set 5			
Set 6			
Set 7			
Set 8			
Set 9			
Set 10			
Set 11			
Set 12			
Set 13			
Set 14			
Set 15			

ADDITIONAL INFORMATION:

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: _____ Category No. I Investigating Agency DEA

City Boston Related Case Information:

County Suffolk Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New _____
Magistrate Judge Case Number 05-M-211-JLA
Search Warrant Case _____
R 20/R 40 from District of _____

Defendant Information:

Defendant Name William Martinez Juvenile ☐ Yes ☒ No

Alias Name Loro a/k/a Lorito

Address _____

Birth date (Year 1966 SSN (last 4 _____ Se M Race: Hispanic Nationalit Dom. Rep.

Defense Counsel if Oriosto Medrano Santana Address: 14 Village Green Lane
Natick, MA

Bar Number: _____

U.S. Attorney Information:

AUSA Neil J. Gallagher Bar Number if _____

Interpreter: ☒ Yes ☐ No List language and/or dialect: SPANISH

Matter to be SEALED: ☐ Yes ☒ No

☐ Warrant Requested ☐ Regular Process ☒ In Custody

Location Status:

Arrest Date: April 15, 2005

☒ Already in Federal Custody as of 4/15/05 in USMS

☐ Already in State _____ ☐ Serving Sentence ☐ Awaiting Trial

☐ On Pretrial Ordered _____ on _____

Charging Document: ☐ Complaint ☐ Information ☒ Indictment

Total # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony One

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date 6/2/05

Signature of 

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant William Martinez

U.S.C. Citations

Index Key/CodeDescription of Offense ChargedCount Numbers

Set 1	<u>21 U.S.C. Sec. 846</u>	<u>conspiracy to distribute cocaine and heroin</u>	<u>Count One</u>
Set 2	<u>21 U.S.C. Sec. 853</u>	<u>drug forfeiture allegation</u>	
Set 3			
Set 4			
Set 5			
Set 6			
Set 7			
Set 8			
Set 9			
Set 10			
Set 11			
Set 12			
Set 13			
Set 14			
Set 15			

ADDITIONAL INFORMATION:

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: _____ Category No. I Investigating Agency DEA

City Boston Related Case Information:

County Suffolk Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New _____
Magistrate Judge Case Number 05-M-0455-RBC
Search Warrant Case _____
R 20/R 40 from District of _____

Defendant Information:

Defendant Name Luis Fernando Carvajal Juvenile ☐ Yes ☒ No

Alias Name El Colo

Address 37 Hamilton St., Dorchester, MA

Birth date (Year 1967 SSN (last 4 _____ Se M Race: Hispanic Nationalit Colombia

Defense Counsel if Victoria M. Bonilla-Argudo Address: 77 Central St., 2nd Floor
Boston, MA

Bar Number: _____

U.S. Attorney Information:

AUSA Neil Gallagher Bar Number if _____

Interpreter: ☒ Yes ☐ No List language and/or dialect: SPANISH

Matter to be SEALED: ☐ Yes ☒ No

☐ Warrant Requested ☐ Regular Process ☒ In Custody

Location Status:

Arrest Date: March 19, 2005

☒ Already in Federal Custody as as of 4/29/05 in USMS

☐ Already in State Custody _____ ☐ Serving Sentence ☐ Awaiting Trial

☐ On Pretrial Release: Ordered _____ on _____

Charging Document: ☐ Complaint ☐ Information ☒ Indictment

Total # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony Two

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: 6/2/05

Signature of [Signature]

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Luis Fernando Carvajal**U.S.C. Citations**

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. Sec. 846</u>	<u>conspiracy to distribute cocaine and heroin</u>	<u>Count One</u>
Set 2	<u>21 U.S.C. Sec. 841(a)(1)</u>	<u>possession with intent to distribute heroin</u>	<u>Count Five</u>
Set 3	<u>18 U.S.C. Sec. 2</u>	<u>aiding and abetting</u>	<u>Count Five</u>
Set 4	<u>21 U.S.C. Sec. 853</u>	<u>drug forfeiture allegation</u>	
Set 5			
Set 6			
Set 7			
Set 8			
Set 9			
Set 10			
Set 11			
Set 12			
Set 13			
Set 14			
Set 15			

ADDITIONAL INFORMATION:

Criminal Case Cover Sheet

U.S. District Court - District of Massachusetts

Place of Offense: _____ Category No. I Investigating Agency DEA

City Boston; Braintree Related Case Information:

County Suffolk; Norfolk Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New _____
Magistrate Judge Case Number 05-M-0455-RBC
Search Warrant Case _____
R 20/R 40 from District of _____

Defendant Information:

Defendant Name EDISON JARAMILLO Juvenile ☐ Yes ☒ No

Alias Name Robert Feliciano; Edison Alberto Restrepo

Address 49 John St., Apt 6, Malden, MA

Birth date (Year 1979 SSN (last 4 7482 Se M Race: Hispanic Nationalit Colombia

Defense Counsel if Harold H. Hakala Address: 15 Court Square, Suite 1150
Boston, MA

Bar Number: _____

U.S. Attorney Information:

AUSA Neil Gallagher Bar Number if _____

Interpreter: ☒ Yes ☐ No List language and/or dialect: SPANISH

Matter to be SEALED: ☐ Yes ☒ No

☐ Warrant Requested ☐ Regular Process ☒ In Custody

Location Status:

Arrest Date: March 19, 2005

☒ Already in Federal Custody as of 4/29/05 in USMS

☐ Already in State _____ ☐ Serving Sentence ☐ Awaiting Trial

☐ On Pretrial Ordered _____ on _____

Charging Document: ☐ Complaint ☐ Information ☒ Indictment

Total # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony Two

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date 6/2/05

Signature of [Signature]

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Edison Jaramillo

U.S.C. Citations

<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1 <u>21 U.S.C. Sec. 846</u>	<u>conspiracy to distribute cocaine and heroin</u>	<u>Count One</u>
Set 2 <u>21 U.S.C. Sec. 841(a)(1)</u>	<u>possession with intent to distribute heroin</u>	<u>Count Five</u>
Set 3 <u>18 U.S.C. Sec. 2</u>	<u>Aiding and abetting</u>	<u>Count Five</u>
Set 4 <u>21 U.S.C. Sec. 853</u>	<u>Drug forfeiture allegation</u>	
Set 5 _____	_____	_____
Set 6 _____	_____	_____
Set 7 _____	_____	_____
Set 8 _____	_____	_____
Set 9 _____	_____	_____
Set 10 _____	_____	_____
Set 11 _____	_____	_____
Set 12 _____	_____	_____
Set 13 _____	_____	_____
Set 14 _____	_____	_____
Set 15 _____	_____	_____

ADDITIONAL INFORMATION:

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**Place of Offense: _____ Category No. I Investigating Agency DEACity Boston; Braintree Related Case Information:County Suffolk; Norfolk Superseding Ind./ Inf. _____ Case No. _____
Same Defendant _____ New _____
Magistrate Judge Case Number 05-M-0455-RBC
Search Warrant Case _____
R 20/R 40 from District of _____**Defendant Information:**Defendant Name Carmen Lopera Juvenile ☐ Yes ☒ NoAlias Name Christina LoperaAddress 49 John St., Apt 6, Malden, MABirth date (Year unk SSN (last 4 _____ Se F Race: Hispanic Nationalit ColombiaDefense Counsel if Elliot M. Weinstein Address: 228 Lewis Wharf
Boston, MA

Bar Number: _____

U.S. Attorney Information:AUSA Neil Gallagher Bar Number if _____Interpreter: ☒ Yes ☐ No List language and/or dialect: SPANISHMatter to be SEALED: ☐ Yes ☒ No☐ Warrant Requested ☐ Regular Process ☒ In Custody**Location Status:**Arrest Date: April 29, 2005☒ Already in Federal Custody as of 4/29/05 in USMS☐ Already in State _____ ☐ Serving Sentence ☐ Awaiting Trial☐ On Pretrial Ordered _____ on _____Charging Document: ☐ Complaint ☐ Information ☒ IndictmentTotal # of Counts: ☐ Petty _____ ☐ Misdemeanor _____ ☒ Felony One

Continue on Page 2 for Entry of U.S.C. Citations

☒ I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.Date 6/2/05Signature of [Signature]

JS 45 (5/97) - (Revised USAO MA 3/25/02) Page 2 of 2 or Reverse

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant Carmen Lopera**U.S.C. Citations**

	<u>Index Key/Code</u>	<u>Description of Offense Charged</u>	<u>Count Numbers</u>
Set 1	<u>21 U.S.C. Sec. 843(b)</u>	<u>Unlawful use of Communications Facility</u>	<u>Count Seven</u>
Set 2	<u>21 U.S.C. Sec. 853</u>	<u>drug forfeiture allegation</u>	
Set 3			
Set 4			
Set 5			
Set 6			
Set 7			
Set 8			
Set 9			
Set 10			
Set 11			
Set 12			
Set 13			
Set 14			
Set 15			

ADDITIONAL INFORMATION:

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTSORDER OF REFERENCE

Check if previously referred _____

USA
V.
Emendy et alCA/CR No. 05-10138-DPWCriminal Category I

In accordance with 28 U.S.C. §636 and the Rules for United States Magistrates in the United States District Court for the District of Massachusetts, the above-entitled case is referred to Magistrate Judge _____ for the following proceedings:

- (A) Determination (Order) on:
- ☐ Rule 16(b) and/or Pretrial proceedings (*except ex parte motions in criminal cases*)
 - ☐ Nondispositive pretrial and discovery motions(s) not listed in Paragraph (B) below
 - See Documents Numbered: _____
 - ☐ Ex Parte Motions in criminal cases - See Documents Numbered: _____

Action taken by the Magistrate Judge on matters referred for determination shall constitute the Order of the Court and shall be reconsidered only where shown to be clearly erroneous in fact or contrary to law. 28 U.S.C. §636(b)(1)(A)

- (B) Findings and Recommendations pursuant to 28 U.S.C. §636(b)(1)(B) on:
- ☐ Motion(s) for injunctive relief
 - ☐ Motion(s) for judgment on the pleadings
 - ☐ Motion(s) for summary judgment
 - ☐ Motion(s) to permit maintenance of a class action
 - ☐ Motion(s) to suppress evidence
 - ☐ Motion(s) to dismiss
 - See Documents Numbered: _____

- (C) Service as a special master for hearing, determination and report, subject to the terms of the special order filed herewith:
- ☐ In accordance with Rule 53, F.R.Civ.P.
 - ☐ In accordance with 42 U.S.C. §2000e-5(f)(5)

- (D) Special instructions Pretrial

6-2-05
DATE

By: S. Huske
Deputy Clerk

- ☐ Civil Rule 16(b) /Pretrial Proceedings
- ☐ Civil and MBD Discovery
- ☐ Service as Special Master
- ☐ Civil Dispositive Motions
- ☐ Miscellaneous

- ☐ Criminal Dispositive Motions
- ☐ Criminal Pretrial or Discovery
- ☐ Criminal Ex Parte Motions
- ☐ Post Conviction Proceedings¹